

JUN 28 2011

JUDICIAL COUNCIL
OF THE NINTH CIRCUITMOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 11-90073

ORDER**KOZINSKI**, Chief Judge:

A pro se litigant filed a largely incomprehensible misconduct complaint against the district judge who dismissed his civil suit for failure to state a claim. Complainant contests dismissal on various grounds, including violations of “The Federalist No. 78” and the Equal Protection Clause. Because the only discernible allegations relate to the merits of the judge’s rulings, they must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982).

Two previous misconduct complaints filed by complainant were also dismissed as merits-related. See In re Charge of Judicial Misconduct, No. 99-80223 (9th Cir. Jud. Council 1999) and In re Charge of Judicial Misconduct, No. 04-89125 (9th Cir. Jud. Council 2005). Complainant is cautioned that “a complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints.” Judicial-Conduct Rule 10(a); see also In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009).

DISMISSED.